

AO 442 (Rev. 10/03) Warrant for Arrest

UNITED STATES DISTRICT COURT

EASTERN District of TEXAS

UNITED STATES OF AMERICA

V.

DAMON DEWAYNE PORTER

WARRANT FOR ARREST

Case Number: 1:14-MJ- 105

G-14-MJ-39

To: The United States Marshal
and any Authorized United States Officer

YOU ARE HEREBY COMMANDED to arrest

DAMON DEWAYNE PORTER

Name

and bring him or her forthwith to the nearest magistrate judge to answer a(n)

☐ Indictment
 ☐ Information
 ☒ Complaint
 ☐ Order of court
 ☐ Probation Violation Petition
 ☐ Supervised Release Violation Petition
 ☐ Violation Notice

charging him or her with (brief description of offense)

Coercion and enticement of any individual who has not attained the age of 18 years to engage in prostitution or sexual activity

in violation of Title 18

United States Code, Section(s) 2242(b)

Zach Hawthorn

Name of Issuing Officer

Signature of Issuing Officer

US Magistrate Judge

Title of Issuing Officer

5/21/2014

Date and Location

RETURN

This warrant was received and executed with the arrest of the above-named defendant at

DATE RECEIVED	NAME AND TITLE OF ARRESTING OFFICER	SIGNATURE OF ARRESTING OFFICER
DATE OF ARREST		

AO 91 (Rev. 01/09) Criminal Complaint

UNITED STATES DISTRICT COURT

MAY 21 2014

for the
Eastern District of Texas

DAVID J. MALAND, CLERK
BY
DEPUTY Piper

United States of America)

v.)

DAMON DEWAYNE PORTER)

Case No. 1:14-MJ- 105

Defendant)

G-14-MJ-39

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of 4/30/2014 in the county of Jasper in the Eastern District of Texas, the defendant violated 18 U. S. C. §2242(b), an offense described as follows:

Coercion and enticement of any individual who has not attained the age of 18 years to engage in prostitution or sexual activity

This criminal complaint is based on these facts:

PLEASE SEE ATTACHED AFFIDAVIT.

Continued on the attached sheet.

Jeff Fuselier
Complainant's signature

Special Agent Jeff Fuselier, DHS/HSI

Printed name and title

Sworn to before me and signed in my presence.

Date: May 21, 2014

Zack Hawthorn
Judge's signature

City and state: Beaumont, Texas

Zack Hawthorn, US Magistrate Judge

Printed name and title

AFFIDAVIT

I, Jeffery T. Fuselier, being duly sworn, depose and state:

I am a Special Agent with the Department of Homeland Security (DHS), United States Immigration and Customs Enforcement (ICE), Homeland Security Investigations (HSI) assigned to the Resident Agent in Charge Beaumont, Texas. I have been so employed since September 2003. As part of my daily duties as an ICE-HSI customs officer, I investigate criminal violations relating to child exploitation and child pornography including violations pertaining to the illegal production, distribution, receipt and possession of child pornography, in violation of 18 U.S.C. §§ 2251 (a) and (e); 2252(a) and 2252A; and 18 U.S.C. § 2422(b) Coercion and enticement of any individual who has not attained the age of 18 years to engage in prostitution or sexual activity; and 18 U.S.C. § 2423(b) Travel with intent to engage in a sexual act with a person under the age of 18. I have received training in the area of child pornography and child exploitation, and have had the opportunity to observe and review examples of child pornography as defined in 18 U.S.C. § 2256 in all forms of media including computer media. As a customs officer, your Affiant is authorized to investigate violations of laws of the United States and your Affiant is a law enforcement officer with the authority to execute warrants issued under the authority of the United States.

I make this affidavit in support of a criminal complaint against Damon Dewayne PORTER, 39, of Galveston, Texas, charging him with 18 U.S.C. § 2422(b) Coercion and enticement of a minor to engage in sexual activity. Your affiant is familiar with Texas Penal Code Section 22.011(a)(2)(A) that makes it a crime for an adult to have sexual intercourse with a child (a person younger than 17 years of age).

The facts in support of this criminal complaint are as follows:


On May 1, 2014, the Department of Homeland Security (DHS), Immigration and Customs Enforcement (ICE), Homeland Security Investigations (HSI), Beaumont, Texas office received information from Detective Foster of the Jasper, Texas Police Department (JPD). The information claimed that on April 30, 2014 an individual named Damon Dewayne PORTER, age 39 traveled from Galveston, Texas to Jasper, Texas, to have sex with a fifteen year old girl at the Deluxe Inn in Jasper, Texas. I subsequently spoke with Detective Foster, who advised he was in the process of obtaining video footage from the Deluxe Inn showing PORTER in the Deluxe Inn lobby using his Texas driver's license to rent a room. Detective Foster stated he obtained the registration card from the Deluxe Inn that PORTER signed to rent room # 137. Agents of DHS/HSI Beaumont, Texas coordinated with the Jasper, Texas Police Department to further investigate the events that led to PORTER traveling from Galveston, Texas to Jasper, Texas to have sex with a fifteen year old girl.

On May 1, 2014, at the Jasper, Texas Police Department your Affiant and Detective Curl of the Beaumont, Texas Police Department (BPD) met and interviewed the fifteen year old girl with whom PORTER had sex. The fifteen year old girl referred to the man with whom she had sex as "Dewayne Darnell". She was advised that the man's true name was Damon Dewayne PORTER. She stated that she met PORTER through MocoSpace, a social media application on her phone. She stated PORTER'S MocoSpace username is "greeneyez3500".

The fifteen year old girl stated PORTER called her cellphone at 4:05 a.m. on April 30, 2014, and told her he was thirty minutes from Jasper. She stated that she recognized the number 832-807-0222 as PORTER'S, because he had called her before. She stated later that morning PORTER was waiting for her at Angelina College which is located next to her school, Jasper High School. She stated PORTER said he was going to be in a brown car. She described PORTER'S car as an old brown four door car that was "all tore up". She stated PORTER knew what she looked like from a

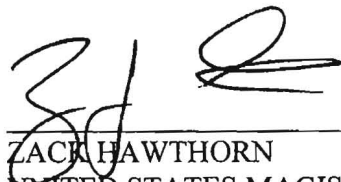
picture on her MocoSpace profile. She stated she walked to PORTER'S car, and got in the front seat. She stated they drove to the Deluxe Inn, and she stayed in the car while PORTER went inside to rent a room. She stated once in the room they had sex twice, and PORTER took a shower. She stated after PORTER came out of the shower he wanted to have sex again, but she said "no". She stated PORTER started "licking me all over," and "put his dick in me." She stated PORTER took two pictures of her with his cell phone, one of her face and one of her private area while she was sitting on the edge of the bed facing the television. She described PORTER'S cell phone as a Samsung Galaxy in a black and orange case.

Wherefore, based on the foregoing, I respectfully submit that probable cause exists to believe that on or about April 30, 2014, within the Eastern District of Texas, Damon Dewayne PORTER, defendant, did knowingly travel with intent to engage in sexual act with a minor, namely a female child of approximately fifteen (15) years of age, whose identity is known to the Affiant, and did knowingly use a facility or means of interstate commerce to persuade, induce, entice or coerce an individual under the age of 18 years, to engage in any sexual activity for which any person can be charged with a criminal offense in violation of 18 U.S.C § 2422(b).



Jeff Fuselier
Special Agent DHS/HSI

Sworn to before me this
21st day of May, 2014.


ZACK HAWTHORN

UNITED STATES MAGISTRATE JUDGE